

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The State Finance Act is amended by adding
5 Section 5.990 as follows:

6 (30 ILCS 105/5.990 new)

7 Sec. 5.990. The MAP Refund Fund.

8 Section 10. The Private College Act is amended by adding
9 Section 14.15 as follows:

10 (110 ILCS 1005/14.15 new)

11 Sec. 14.15. Unfair, misleading, or deceptive practice
12 finding; refund; grant.

13 (a) In this Section, "unfair, misleading, or deceptive
14 practice" means an act or practice in which a representation,
15 omission, or practice misleads or is likely to mislead a
16 consumer, as determined by the Federal Trade Commission, the
17 United States Department of Education, or the United States
18 Bureau of Consumer Financial Protection in a court of
19 competent jurisdiction.

20 (b) This Section applies to a for-profit, post-secondary
21 educational institution that received monetary award program

1 funds under Section 35 of the Higher Education Student
2 Assistance Act at a time the institution was found to have been
3 using an unfair, misleading, or deceptive practice, as defined
4 by the Federal Trade Commission, the United States Department
5 of Education, or the United States Bureau of Consumer
6 Financial Protection, and is required to reimburse students
7 for loans taken to pay for the students' education in
8 accordance with a final judgment against the institution
9 issued by a court of competent jurisdiction, based on acts
10 occurring at least 6 months after the effective date of this
11 amendatory Act of the 103rd General Assembly. Any monetary
12 award program funds paid to the for-profit, post-secondary
13 educational institution for students who attended the
14 institution during the period of judgment must be refunded to
15 the Illinois Student Assistance Commission.

16 (c) If a post-secondary educational institution is
17 required to issue a refund to the Illinois Student Assistance
18 Commission under this Section, the refund shall be deposited
19 into the MAP Refund Fund. The Commission shall use funds
20 appropriated from the MAP Refund Fund to award grants to
21 students as provided in this Section. A post-secondary
22 educational institution required to issue a refund to the
23 Illinois Student Assistance Commission under this Section must
24 notify the Illinois Student Assistance Commission within 30
25 days after a final judgment issued by a court of competent
26 jurisdiction, and issue the refund within 6 months. A

1 for-profit, post-secondary educational institution with a
2 judgment against it must notify students who attended the
3 post-secondary educational institution during the period of
4 judgment and received monetary award program funds,
5 electronically and by certified mail, within 6 months after
6 issuance of the refund to the Illinois Student Assistance
7 Commission.

8 (d) The Commission shall make applications for grants
9 under subsection (c) available in the next academic year after
10 the deposit of funds into the MAP Refund Fund or as soon as is
11 practicable. The application process shall be administered by
12 the Commission and shall remain open until no funds remain in
13 the MAP Refund Fund, subject to the other provisions of this
14 Section.

15 (e) The Commission shall determine the maximum amount of a
16 grant that may be provided under this Section in an academic
17 year. A grant under this Section may be awarded to a student in
18 addition to a monetary award program grant. However, the
19 combined amounts of those grants may not exceed the total cost
20 of tuition and fees for the academic year at the
21 post-secondary educational institution at which the student is
22 enrolled.

23 (f) Beginning in the third academic year following the
24 issuance of refunds under subsection (b), the remaining
25 balance in the MAP Refund Fund shall be appropriated to the
26 Commission for the Commission's operating budget for the

1 monetary award program.

2 (g) The MAP Refund Fund is created as a special fund in the
3 State treasury. All money in the Fund shall be used, subject to
4 appropriation, by the Commission for the purposes set forth in
5 this Section.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.